

### **REMARKS**

Claims 13-18 stand rejected under 35 USC §112, first paragraph. Claims 1-3, and 5-12 stand rejected under 35 USC §103(a) as being unpatentable over Fang, U.S. patent 6,628,311. Claims 1-3, 5-16, and 18 stand rejected under 35 USC §103(a) as being unpatentable over Livingston, U.S. patent 6,452,607.

Claims 13, 14, and 17 have been amended to more clearly define the invention. Reconsideration and withdrawal of the rejection of claims 13-18 under 35 USC §112, first paragraph, is respectfully requested in view of the amended claims 13, 14, and 17. Reconsideration and allowance of each of the pending claims 1-3 and 5-18, as amended, is respectfully requested.

Independent claim 13, as amended, further defines the invention reciting a method for providing dynamic assistance for restricted user interface resources comprising the steps of: identifying code for disabling controls; changing a state of said identified code from disabled to disabled with assistance; responsive to said changed state of said identified code to disabled with assistance, providing assistance text to explain why control is disabled including identifying an adjustment needed; and providing code for correcting a condition for disabling control including removing a selected item responsive to identifying said adjustment needed; and displaying an adjustment button for user selection to execute said code for correcting a condition for disabling control. The steps of identifying an adjustment needed, and removing a selected item responsive to identifying said adjustment needed, are illustrated and described with respect to blocks 410 and 412 of FIG. 4. Thus, independent claim 13,

Serial No. 09/519,413

as amended, is believed to accommodate the Examiner's rejection and withdrawal of the rejection of claims 13-18 under 35 USC §112, first paragraph, is respectfully requested.

The Examiner indicates that the previously submitted Affidavit Under 37 CFR 1.131 is ineffective. Consideration of a new Declaration Under 37 CFR 1.131 submitted herewith is respectfully requested. Applicants respectfully submit that the enclosed Declaration Under 37 CFR 1.131 establishes conception of the invention of the rejected claims 1-3, and 5-12 prior to the effective date of the cited reference, Fang, U.S. patent 6,628,311 and establishes due diligence from the established date of December 17, 1999 to the filing date of the present application on March 3, 2000. The present application was filed on March 3, 2000 approximate 2 1/2 months from the established conception date of December 17, 1999. As set forth in 37 CFR 1.131

(a) When any claim of an application or a patent under reexamination is rejected, the inventor of the subject matter of the rejected claim, the owner of the patent under reexamination, or the party qualified under §§ 1.42, 1.43, or 1.47, may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based. ....

\* \* \*

(b) The showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from

prior to said date to a subsequent reduction to practice or to the filing of the application.

Original exhibits of drawings or records, or photocopies thereof, must accompany and form part of the affidavit or declaration or their absence must be satisfactorily explained. (emphasis added).

The new Declaration Under 37 CFR 1.131 submitted herewith includes the required acknowledgement by the declarants that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting patent issuing thereon; declare that all statements made of the declarant's own knowledge are true, and declare that all statements made on information and belief are believed to be true.

Consideration and acceptance of the Declaration Under 37 CFR 1.131 submitted herewith to overcome the Fang reference is respectfully requested.

Reconsideration and allowance of each of the claims 1-3, and 5-18, as amended, is respectfully requested.

Livingston, U.S. patent 6,452,607 discloses a help feature for a user interface includes a help control, such as a graphical button, displayed adjacent to a control option of the user interface. The help control references the control option for obtaining help information about the control option. The help control is displayed, and remains displayed, in response to a detected noteworthy status of the control option. Specifically, the help control is displayed automatically, without user interaction, in the event the control option is disabled and noteworthy. Alternatively, the control option is

displayed in the event it is enabled and noteworthy. The help control is displayed non-intrusively relative to other elements of the user interface. Importantly, when the help control is selected by the user, context-sensitive help information is displayed describing, respectively, why the control option is disabled or why it is enabled and noteworthy.

The prior art of record including Fang and the newly cited Livingston patent fails to disclose or suggest the recited steps of providing code for correcting a condition for disabling control; and displaying an adjustment button for user selection to execute said code for correcting a condition for disabling control of the method, computer program product, and computer system for providing dynamic assistance for disabled user interface resources as taught by Applicants and recited in independent claims 1, 8, and 9. There is neither an express nor an implied suggestion in prior art of record, which would have motivated the artisan to modify the disclosed graphical user interface in a manner which would result in that which is claimed. Consequently, it is submitted that these claims 1, 8 and 9 are patentable.

Independent claim 13, as amended, further defines the invention reciting a method for providing dynamic assistance for restricted user interface resources comprising the steps of: identifying code for disabling controls; changing a state of said identified code from disabled to disabled with assistance; responsive to said changed state of said identified code to disabled with assistance, providing assistance text to explain why control is disabled including identifying an adjustment needed; and providing code for correcting a condition for disabling control including removing a

Serial No. 09/519,413

selected item responsive to identifying said adjustment needed; and displaying an adjustment button for user selection to execute said code for correcting a condition for disabling control. There is neither an express nor an implied suggestion in prior art of record, which would have motivated the artisan to perform the method of the invention as recited in independent claim 13. Thus, Applicants respectfully submit that independent claim 13 is patentable.

Thus, each of the independent claims 1, 8, 9 and 13, as amended, is patentable.

Dependent claims 2-3, 5-7, 10-12, and 14-18 further define the invention of patentable claims 1, 9 and 13, and are likewise patentable.

Applicants have reviewed all the art of record, and respectfully submit that the claimed invention is patentable over all the art of record, including the references not relied upon by the Examiner for the rejection of the pending claims.

It is believed that the present application is now in condition for allowance and allowance of each of the pending claims 1-3, and 5-18 is respectfully requested. Prompt and favorable reconsideration is respectfully requested.

If the Examiner upon considering this amendment should find that a telephone interview would be helpful in expediting allowance of the present application, the Examiner is respectfully urged to call the applicants' attorney at the number listed below.

Respectfully submitted,

Serial No. 09/519,413

By:   
Joan Pennington  
Reg. No. 30,885  
Telephone: (312) 670-0736